

REMARKS

Claims 1, 2, 5, 8, and 10 are pending in this application. Claims 6 and 9 have been withdrawn by the Examiner from further consideration pursuant to 37 CFR § 1.142(b) as being drawn to a non-elected species of Group 3B. Applicant has previously timely filed a traverse of the restriction and election requirement.

I. Claim Rejections under 35 USC § 102 and 103

Claims 1, 2, 5, and 10 stand rejected under 35 USC § 102(e) as being anticipated by Matsuo, U.S. Patent Number 6,349,614. In addition, claim 8 stands rejected under 35 USC § 103(a) as being obvious in view of Matsuo. The Examiner contends that the Matsuo cable housing teaches a rigid tubing, element 654, which is axially and radially rigid enough that it would not radially buckle upon application of tension within the normal range of operating tensions applied to the cable 650. Applicant respectfully disagrees. Matsuo teaches a typical Bowden cable which will in normal operation flex upon application of tension to the internal cable. This flexure, which is inherent in Bowden cables, is the precise problem which Applicant's invention was designed to correct (see, for example, page 2, line 13 of the application). However, Applicant is proposing a clarifying amendment to claim 1 replacing the language "axially and radially rigid" with "inflexible" to describe Applicant's floating cable stop invention. It is believed that this change of language both fully distinguishes Applicant's invention from the prior art and, places the claims in a condition for allowance, yet does not require further searching on the part of the Examiner.

In addition to the proposed amendment to claim 1 discussed above, Applicant proposes adding the clause "operatively associated with the exterior of a bicycle frame" to claim 1 and adding a new claim 16 limiting the size of the outer diameter of the inflexible tubing to that of a typical Bowden cable. These amendments are deemed advisable to more accurately describe the limitations inherent in Applicant's invention and further distinguish the invention from the prior art. It is not believed that consideration of the proposed amendment of claim 1 or the addition of claim 16 will require any further prior art searching on the Examiner's part.

II. Double Patenting Rejection

Claims 1, 2, 5, 8, and 10 also stand rejected under the judicially created doctrine of double patenting over claims 1-8 of U.S. Patent Number 6,439,077B2. The Examiner contends that the cable feed recited in claims 1-8 of the '077 patent "is not any different from the bicycle cable guide system as recited in the present claims."

Applicant will file a terminal disclaimer upon receipt of an advisory opinion from the Examiner that the foregoing proposed amendment will be accepted, and that the claims as amended are allowable.

The Application is believed to be in condition for allowance. The Applicant respectfully requests that the proposed amendment after final rejection be entered and a Notice of Allowance be issued. The Examiner is also encouraged to contact the undersigned by telephone if a conversation would expedite prosecution of this case.

This constitutes a request for any needed extension of time. The Commissioner is hereby authorized to charge any deficiency of fees submitted herewith to be charged to Deposit Account Number 19-5117.

Respectfully submitted,



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